



AUG 23 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/779,949	02/17/2004	Benedict U. Pauli	18617.0new

26712
 HODGSON RUSS LLP
 ONE M & T PLAZA
 SUITE 2000
 BUFFALO, NY 14203-2391

CONFIRMATION NO. 1487

FORMALITIES LETTER



OC000000013019298

Date Mailed: 06/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 3B,18A-C.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 13d.

SUMMARY OF FEES DUE:

08/24/2004 YPOLITE1 00000004 10779949

01 FC:2051

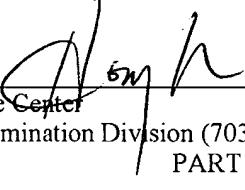
65.00 0P

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FEE TRANSMITTAL**for FY 2004**

Effective 10/01/2003. Patent Fees are subject to annual revision.

■ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

AUG 23 2004
U.S. PATENT & TRADEMARK OFFICE
C-57

Application Number 10/779,949

Filing Date February 17, 2004

First Named Inventor Bendicht et al.

Examiner Name

Group/Art Unit

Attorney Docket Number 18617.0081

METHOD OF PAYMENT (check all that apply)**FEE CALCULATION (continued)**
 Check Credit Card Money Order Other None

 Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)

- Charge fee(s) indicated below
 Charge any fee deficiencies or credit any overpayments
 Charge any additional fees during pendency of this application.
 Charge fees indicated below, except for the filing fee to the above-identified deposit account

3. ADDITIONAL FEES

Large Entity	Small Entity				Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	\$ 65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$

FEE CALCULATION

1812 2,520 1812 2,520 For filing a request for ex parte reexamination \$

1. BASIC FILING FEE**Large Entity Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid		
1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
1001 770	2001 385	Utility filing fee	\$	1251 110	2251 55 Extension for reply within first month
1002 340	2002 170	Design filing fee	\$	1252 420	2252 210 Extension for reply within second month
1003 530	2003 265	Plant filing fee	\$	1253 950	2253 475 Extension for reply within third month
1004 770	2004 385	Reissue filing fee	\$	1254 1,480	2254 740 Extension for reply within fourth month
1005 160	2005 80	Provisional filing fee	\$	1255 2,010	2255 1,005 Extension for reply within fifth month

SUBTOTAL (1)

\$ 0 1401 330 2401 165 Notice of Appeal \$

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Extra Claims	Fee from below	Fee Paid		
Total Claims / / -20** = / / x / /=		\$ 1402 330	2402 165	Filing a brief in support of an appeal
		\$ 1403 290	2403 145	Request for oral hearing
Independent Claims / / - 3** = / / x / /=		\$ 1451 1,510	1451 1,510	Petition to institute a public use proceeding

Multiple dependent

/ / x / /= \$ 1452 110 2452 55 Petition to revive - unavoidable \$

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid		
1453	1,330	2453 665	Petition to revive - unintentional	\$	
1501	1,330	2501 665	10 advance copies Utility issue fee (or reissue)	\$	
1502	480	2502 240	Design issue fee	\$	
1503	640	2503 320	Plant issue fee	\$	
1460	130	1460 130	Petitions to the Commissioner	\$	
1807	50	1807 50	Processing fee under 37 CFR 1.17(q)	\$	
1806	180	1806 180	Submission of Information Disclosure Statement	\$	

SUBTOTAL (2)

\$ 0 8021 40 8021 40 Recording each patent assignment per property (times number of properties) \$

SUBMITTED BY:

John D. Lopinski Reg. No. 50,846

1809 770 2809 385 Filing a submission after final rejection(37 CFR 1.129(a)) \$

SIGNATURE

1810 770 2810 385 For each add'l invention to be examined(37 CFR 1.129(b)) \$

DATE: August 19, 2004

Telephone: (716) 848-1430

1801 770 2801 385 Request For Continued Examination (RCE) \$

1802 900 1802 900 Request for Expedited Examination of a design application \$

Other fee (specify)

SUBTOTAL (3) \$ 65

*Reduced by basic filing fee paid

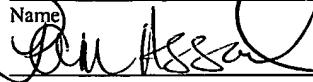


I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 19, 2004

Pam Assad

Name

Signature


August 19, 2004

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bendicht et al.

Serial No.: 10/779,949

Filed: February 17, 2004

For: Calcium-Activated Chloride Channel Proteins And Their Use In Anti-Metastatic Therapy

RESPONSE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice to File Missing Parts of Non-provisional Application mailed June 22, 2004 (copy enclosed), herewith is the executed Declaration and the \$65.00 filing fee.

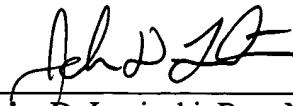
Applicants have further enclosed replacement drawings. In compliance with 37 CFR 1.84 and 1.121, the replacement drawing have each been labeled "Replacement Sheet".

Applicants point out that Figure 3B now correctly lists "Figure 3B" at the bottom of the sheet. Figure 13 is also corrected to identify Figure 13A and to have the complete text of "Voltage (mV)" shown. Figures 18A-18C, which were formerly mislabeled as Figures 17A-17C, have been provided with the corrected numerals.

If any underpayment or overpayment has been made, please charge to Deposit Account No. 08-2442.

Respectfully submitted,
HODGSON RUSS LLP

By


John D. Lopinski, Reg. No. 50,846

One M&T Plaza, Suite 2000
Buffalo, New York 14203
(716) 848-1628
Dated: August 12, 2004

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